

Benjamin Barber
Plaintiff
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

BENJAMIN BARBER,
Plaintiff,

Case No.3:2016cv02105

vs.

Affadivit Of Plaintiff:

**Requesting teleconference Accommodation
and Belief in Bias or Prejudice of Judge**

**MEAGAN VANCE in her personal capacity
AND ELLEN ROSENBLUM, BRAD
AVAKIAN, KATE BROWN, BEN CANNON,
LYNNE SAXTON in their official capacity**
Defendants

28 U.S. Code § 144

I. Introduction

1. I, Benjamin Barber presents his apology for timeliness and has two concerns regarding the trial, and I have a feeling that your honor will not be pleased to hear them, but I hope that you do take them seriously, or at least consider the plaintiffs perspectives regarding the circumstances.

2. Barber admits and apologizes that he had not completed his complaint until now, there had been significant issues with his housing and financial stability, moreover he sought but could not find suitable council to assist, in making sure that his claims were made in the correct manner.

3. Barber sought a temporary restraining order and preliminary injunction, on the basis that the criminal charge was an unconstitutional content based restriction on speech, and that he had experienced a pattern of targeted harassment by Defendant Vance and as a political dissident.

4. Vance testified in court that she had attempted to have him charged with this law with an attorney contracted by the State of Oregon before the law had even been passed, and she had actually disseminated the films thereafter for the purposes of blackmail. She sought protection from among other things her violations of her restraining order, interstate domestic violence, extortion.

5. Barber had originally been a candidate for political office who campaigned on the platform of “radical transparency” of government documents and policies, for many of the reasons which would later present themselves in the investigation into John Kitzhaber’s alleged corruption, he campaigned against the woman Jennifer Williamson who passed this unconstitutional law.

6. Afterwards Barber became a “Men’s Rights Advocate” after having experienced the lack of legal equality, and campaigned for a the equal rights amendment to the Oregon Constitution, which was also fought against by Jennifer Williamson on the basis of it’s “mens rights”.

7. Barber has also been arrested for attending gender segregated employment events funded by federal Workforce Investment Act funds, and also has complained regarding state sponsored segregated employment agencies explicitly only for women, and generally holds in his complaint along with the supreme court a strict scrutiny view of his civil rights.

8. It comes to the attention of Barber that the Honorable Acosta had previously appeared with the NW EEO/Affirmative Action Association in 2015, to give a speech regarding civil rights in America, wherein he offered his perspectives on the continuing need for “equality, diversity and affirmative action programs”, which the plaintiff argues that they in fact are a source of discrimination and animosity and a violation of the plaintiffs civil rights under strict scrutiny.

9. While it is likely true that the Honorable Acosta has undoubtedly experienced some sort of discrimination by virtue of having been stereotyped incorrectly on the basis of his class, it is that very same act that the defendant has suffered from on the basis of state mandated discrimination.

10. From Barber’s perspective what he experienced was a kangaroo court, where Vance’s personal attorney filed motions in conjunction with the prosecutors, evidence was excluded and jury instruction flawed, and his mens rights advocacy were used as justification of his sentencing.

11. Because he feels very strongly towards unconstitutional criminalization of speech, and no place to leave his personal belongings. Barber decided to become a fugitive of justice while vindicating his civil rights before the appellate court and this court before the statue of limitations.

12. Barber requests that the scheduling conference be made via teleconference, which he will be more than amenable to attend to and not waste the courts time, Barber is submitting his complaint and will attach memorandums with the preserved evidence and exhibits to follow.

13. Barber cannot say that Honorable Acosta is in fact biased based on his statements, but it has been his experience that Circuit Court Judges have given themselves latitude in interpretation.

Dated: February 21, 2017

/s/_____